

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PABLO CHAVEZ,

Plaintiff,

v.

KINGS COUNTY, et al.,

Defendants.

Case No. 1:20-cv-00471-SKO (PC)

**ORDER DIRECTING THE CLERK OF
THE COURT TO CLOSE CASE**

On April 20, 2020, the Court ordered Plaintiff to show cause why this action should not be dismissed as duplicative. (Doc. 6.) The Court informed Plaintiff that, in the alternative, he may file a notice of voluntary dismissal. (*Id.*)

On April 27, 2020, Plaintiff filed a notice of voluntary dismissal of this case. (Doc. 7.) Federal Rule of Civil Procedure 41(a)(1) provides that a “plaintiff may dismiss an action without a court order by filing ... a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i). Once a dismissal under Rule 41(a)(1) is properly filed, no order of the court is necessary to effectuate dismissal; the dismissal is effective automatically. *Commercial Space Mgmt. Co. v. Boeing Co.*, 193 F.3d 1074, 1078 (9th Cir. 1999).

///

///

1 Because Plaintiff has filed a notice of dismissal under Rule 41(a)(1), and no opposing
2 party has appeared in this case, this action has terminated. Accordingly, the Court DIRECTS the
3 Clerk of the Court to close this case.

4
5 IT IS SO ORDERED.

6 Dated: May 5, 2020

/s/ Sheila K. Overta
UNITED STATES MAGISTRATE JUDGE